

REMARKS

The Office examined claims 1-46 and rejected same. With this paper the independent claims are changed in a way not believed to in any way change the scope of the claims, but to instead recite some of the claimed features in other words. In addition, some obvious errors are corrected in the claims. Claims 1-46 remain pending.

This paper follows several telephone conversations with the Examiner, culminating in a telephone conversation on 25 September 2007 in which the Examiner stated that the amendment made by this paper (except for the obvious correction of claims 37 and 38) would be entered and a further search might be performed, but otherwise not reaching a conclusion as to the patentability of any of the claims. Applicant submits that the changes to claims 37 and 38 are only to correct obvious errors, and so should also be entered.

Rejections under 35 USC §103

At section 2 of the Office action, claims 1, 2, 5, 7, 9-11, 13-15, 25, 27, 35, 39, 41 and 45 are rejected under 35 USC §103(a) as being unpatentable over U.S. Pat. No. 5,742,640 to Haoui et al. (hereinafter Haoui).

As to claim 1: Claim 1 recites computing error detection bits in such a way that protected bits to be wirelessly communicated over a protected channel and also other bits to be wirelessly communicated over another channel are both used to determine the values of the error detection bits, so as to enable detecting errors in transmission of the protected bits or the other bits using the error detection bits, and transmitting the error detection bits with the protected bits only on the protected channel and transmitting the other bits only on the other channel. Thus, error detection bits are computed based on

bits communicated over two channels, and thus protect against errors in the bits on the two different channels, although these error detection bits are communicated over only one of the channels (the channel called the protected channel because it includes error detection bits, even though both channels are in fact protected by the invention).

The Office references the 7-bit CRC shown in Haoui Fig. 5A in asserting that Haoui discloses the invention as in claim 1.

As in the response to the previous Office action applicant notes that per Fig. 5A and the corresponding description, Haoui discloses a method involving segregating bits to be transmitted into class 1 bits and class 2 bits. Some of the class 1 bits are especially important, and others are less so (but are more important than the class 2 bits). Haoui discloses determining CRC bits based on only some of the data bits to be communicated over a channel--the most important class 1 bits. The CRC bits and the bits on which they are based (the most important class 1 bits) as well as the other class 1 bits are then FEC encoded to provide protected bits. Finally, the protected bits are then interleaved over two time slots with the other bits, the class 2 bits, which are also not used in determining the error detection bits.

Now there are two ways of looking at Haoui. In one way, since Haoui uses only one frequency, the one frequency can be said to be the only and only channel disclosed as being used. In this view, Haoui must be said to teach computing error detection bits based on only some of the bits to be communicated over one channel. This is not the same as the what is claimed in claim 1, which requires computing error detection bits based on the bits that are to be communicated over two different channels.

The other way of looking at Haoui is that the two different time slots are two different "channels" as that term is used in

claim 1. But in this case, although it could be said that the error detection bits are computed based on bits to be communicated on two different channels (since the most sensitive bits, from which the error detection bits are computed, are interleaved over the two time slots), it cannot be said that the error detection bits are communicated only over one of the channels, since the error detection bits are also interleaved over the two time slots. (See col. 8, lines 8-10, and col. 8, lines 37-41.) Thus, the invention as in claim 1 is also not according to this other way of looking at Haoui.

Thus, even assuming that the different time slots are different "channels" as that term is used in claim 1, since the

The arguments used for claim 1 further apply to all these other independent claims.

#### Rejections under 35 USC §103

At sections 5 and 6, the other claims are rejected under 35 USC §103 as unpatentable over Haoui as applied in the rejections above, in view of other references. The rejections under 35 USC §103 include rejections of independent claims 16, 28, 36 and 43. The limitations of these claims correspond to those of claim 1. Thus, the same arguments used for claim 1 also apply to these independent claims.

#### Request to withdraw all rejections

Since all the independent claims are believed distinguished from Haoui for the reasons given for claim 1, applicant respectfully requests that all the rejections relying on Haoui be reconsidered and withdrawn, both the rejections under 35 USC §103.

Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

26 Oct. 2007

Date

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